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APPLICATION NO. FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,751 02/11/2002	Robert J. Smith	2103-020242	5593
28289 7590 04/08/2003			
WEBB ZIESENHEIM LOGSDON ORKIN & HANSON, P.C. 700 KOPPERS BUILDING 436 SEVENTH AVENUE		EXAMINER	
		NGO, LIEN M	
PITTSBURGH, PA 15219			
		ART UNIT	PAPER NUMBER
		3727	0 -
		DATE MAILED: 04/08/2003	8

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary    Communication appears on the cover sheet with the correspondence address =		Application No.	Applicant(s)			
Examiner   LIEN TM NOO   3727		·	////			
LIEN TM NGO   3727	Office Action Summary					
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 3 CFR 1.13(g), in no event, however, may a reply be timely flad after 81K (g) MONTHS from the maling date of this communication.  I NO period for may be available which the provisions of 3 CFR 1.13(g), in no event, however, may a reply be timely flad after 81K (g) MONTHS from the maling date of this communication.  I NO period for reply is specified sove, the maximum statutory period vill apply within the advance or maining date of this communication.  Fallulate to reply which the each or extended particle for reply vill, by statistic, cause the application to become AMACONED (SS U.S.C.) \$ 13(5), 13(5)	Office Action Cummary					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be originable under the generation communication.  Extensions of time may be originable under the generation communication.  If the period for engly specified above, the maximum statulary parties will supply and will expire SU(8) (the MAINDONED (30) deprived timely.  If the period for engly is specified above, the maximum statulary parties will supply and will expire SU(8) (the MAINDONED (35 U.S.C. § 133).  Any supply created by the Office leaf this the their nearhous attent the mailing date of this parties of the supply and will expire SU(8) (the MAINDONED (35 U.S.C. § 133).  Any supply created by the Office leaf this the their nearhous attent the mailing date of this parties and place term adjustment. See 37 CFR 1.704(b).  Status  1)  Responsive to communication(s) filled on 11 February 2002.  2a)  This action is FINAL.  2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s)  is/are allowed.  6)  Claim(s)  is/are allowed.  6)  Claim(s)  is/are allowed.  6)  Claim(s)  is/are allowed.  7)  Claim(s)  is/are subjected to.  8)  Claim(s)  is/are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner.  Application Papers  10)  The drawing(s) filed on  is/are: all  accepted or bl objected to by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  11)  The proposed drawing correction filed on  is: all paproved bl disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12)  The other of celaration is objected to by the Examiner.  Priority under 35 U.S.C. § 119 and 120  13)  Acknowledgment is made of a claim fo	The MAILING DATE of this communication app					
THE MAILING DATE OF THIS COMMUNICATION.  Edeminsor dime may be available under the provisions of 3 CFR 1136(a). In on event, however, may a reply be timely filled after 2X (6) MONTHS from the mailing date of this communication of 3 CFR 1136(a). In on event, however, may a reply be timely filled after 2X (6) MONTHS from the mailing date of this communication. Physiology which the statistic provision of the communication of the						
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A) Claim(s) 1-20 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) □ Claim(s) is/are allowed.  6) □ Claim(s) is/are allowed.  7) □ Claim(s) is/are objected to.  8) ☒ Claim(s) 1-20 are subject to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner.  10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) □ The proposed drawing correction filed on is: a) □ approved b) □ disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) □ The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) □ All b) □ Some * c) □ None of:  1. □ Certified copies of the priority documents have been received.  2. □ Certified copies of the priority documents have been received in Application No  3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  14) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a) □ The translation of the foreign language provisional application has been received.  15) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121.  Attachment(s)  10 □ Notice of Partsperson's Patent Drawing Review (PTO-948)  50 □ Notice of Informal Patent Application (PTO-152)	3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
4a) Of the above claim(s) is/are withdrawn from consideration.  5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are rejected. 7) □ Claim(s) is/are objected to. 8) ☒ Claim(s) 1-20 are subject to restriction and/or election requirement. Application Papers  9) □ The specification is objected to by the Examiner.  10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) □ The proposed drawing correction filed on is: a) □ approved b) □ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.  12) □ The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.  14) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) □ The translation of the foreign language provisional application has been received.  15) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121.  Attachment(s) 10 □ Notice of References Cited (PTO-992) 21 □ Notice of Transperson's Patent Drawing Review (PTO-948) 5 □ Notice of Informal Patent Application (PTO-152)	Disposition of Claims		D. 11, 400 G.G. 210.			
5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. 10) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1 Certified copies of the priority documents have been received in Application No 3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.  Attachment(s) 11) Interview Summary (PTO-413) Paper No(s) 51) Notice of Draftsperson's Patent Drawing Review (PTO-948)	.—					
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## **DETAILED ACTION**

## Election/Restriction

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-9 and 18-20, drawn to a closure, classified in class 215, subclass 252.
  - II. Claims 10-14, drawn to an injection mold, classified in class 425, subclass 542.
  - III. Claims 15-17, drawn to a method of an injection molding, classified in class 264, subclass 382.1.
- 2. Inventions III and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus as claimed can be used to practice another and materially different process. For example, the core, which forms internal threads, is a remain core portion, and the molded part does not require to move during the molding process, but only the lower movable core part moves in order to separate the core.
- 3. Inventions II and I are related as apparatus and product made. The inventions in this relationship are distinct if either or both of the following can be shown: (1) that the apparatus as claimed is not an obvious apparatus for making the product and the apparatus can be used for

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making a different product or (2) that the product as claimed can be made by another and materially different apparatus (MPEP § 806.05(g)). In this case the product as claimed can be made by another and materially different apparatus. For example, the closure can be made form a compression mold apparatus.

- 4. Inventions III and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product as claimed can be made by another and materially different process. For example, the closure can be made a compression molding process.
- 5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 6. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lien Ngo whose telephone number is (703) 305-0294

W

Lien Ngo

April 3, 2003